

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

Dana Albrecht,

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Plaintiff,

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v.

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Civil No. 1:23-CV-00381-JL-TSM

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Kathleen Sternenberg, *et al.*

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Defendants.

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DEFENDANT BRUCE F. DALPRA'S MOTION TO DISMISS

Defendant Bruce F. Dalpra, by and through counsel, the NH Office of the Attorney General, files this Motion to Dismiss, stating as follows:

INTRODUCTION

1. Plaintiff filed this Complaint on August 4, 2023, alleging violations of his procedural and substantive due process rights under the United States Constitution against six defendants, in forty counts (twelve of which are alleged against Defendant Bruce Dalpra). Plaintiff sues Mr. Dalpra in his official capacity as a former Marital Master in the New Hampshire Circuit Court, Family Division. Compl. at 1. He seeks declaratory relief only. Compl. at 31-32

2. All of Plaintiff's claims against Mr. Dalpra fail because: 1) Plaintiff's claims for declaratory relief are barred by the Eleventh Amendment; 2) Mr. Dalpra is entitled to absolute judicial immunity; and 3) to the extent Plaintiff is seeking to overturn orders in his family law matter, such relief is barred by the *Rooker-Feldman* doctrine.

3. Mr. Dalpra refers this Court to his Memorandum of Law, filed contemporaneously, as support for this Motion.

WHEREFORE, the Defendant Bruce F. Dalpra respectfully requests that this Honorable Court:

- A. Grant this Motion to Dismiss for the reasons set forth in the accompanying Memorandum of Law;
- B. Dismiss all claims; and
- C. Grant any further relief that justice may require.

Respectfully submitted,

Bruce F. Dalpra

By his attorney,

THE OFFICE OF THE ATTORNEY GENERAL

Dated: November 6, 2023

/s/ Catherine A. Denny
Catherine Denny, NH Bar No. 275344
Assistant Attorney General
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent by ECF on November 6, 2023 to the parties and/or counsel of record.

/s/ Catherine A. Denny
Catherine A. Denny